

**UNITED STATES BANKRUPTCY COURT
District of New Jersey**

IN RE: **James Massa**

Case No.: 16-28104

Judge: KCF

Debtor(s) Chapter: 13

CHAPTER 13 PLAN AND MOTIONS

☐ Original

☐ Motions Included

☒ Modified/Notice Required

☐ Modified/No Notice Required

☒ Discharge Sought

☐ No Discharge Sought

Date: 4-12-2017

THE DEBTOR HAS FILED FOR RELIEF UNDER
CHAPTER 13 OF THE BANKRUPTCY CODE.

YOUR RIGHTS WILL BE AFFECTED.

You should have received from the court a separate *Notice of the Hearing on Confirmation of Plan*, which contains the date of the confirmation hearing on the Plan proposed by the Debtor. This document is the actual Plan proposed by the Debtor to adjust debts. You should read these papers carefully and discuss them with your attorney. Anyone who wishes to oppose any provision of this Plan or any motion included in it must file a written objection within the time frame stated in the Notice. **This Plan may be confirmed and become binding, and included motions may be granted without further notice or hearing, unless written objection is filed before the deadline stated in the Notice.**

**YOU SHOULD FILE A PROOF OF CLAIM BY THE DEADLINE STATED
IN THE NOTICE TO RECEIVE DISTRIBUTIONS UNDER ANY PLAN
THAT MAY BE CONFIRMED, EVEN IF THE PLAN REFERS TO YOUR CLAIM**

Part 1: Payment and Length of Plan

a. The Debtor has paid \$1,000.00 to date and the Debtor shall pay \$200.00 Monthly to the Chapter 13 Trustee, starting on May 1, 2017 for approximately 52 months.

b. The Debtor shall make plan payments to the Trustee from the following sources:

☒

Future Earnings

☐

Other sources of funding (describe source, amount and date when funds are available):

c. Use of real property to satisfy plan obligations:

☐ Sale of real property
Description:
Proposed date for completion: _____

☐ Refinance of real property
Description:
Proposed date for completion: _____

☐ Loan modification with respect to mortgage encumbering property
Description:
Proposed date for completion: _____

d. ☐ The regular monthly mortgage payment will continue pending the sale, refinance or loan modification.

e. ☐ Other information that may be important relating to the payment and length of plan:

THE DEBTOR IS IN THE PROCESS OF DOING A LOAN MODIFICATION WITH MIDLAND FIRST OUTSIDE THE BANKRUPTCY CASE. THE DEBTOR WILL MAKE POST ADEQUATE PROTECTION PAYMENTS TO MIDLAND FIRST IN THE AMOUNT OF \$2,389.00. TRUSTEE WILL RESERVE MAKING PAYMENTS TO MIDLAND FIRST PENDING THE LOAN MODIFICATION.

Part 2: Adequate Protection

a. Adequate protection payments will be made in the amount of \$ ____ to be paid to the Chapter 13 Trustee and disbursed pre-confirmation to ____ (creditor).

b. Adequate protection payments will be made in the amount of \$ ____ to be paid directly by the debtor(s) outside of the Plan, pre-confirmation to ____ (creditor).

Part 3: Priority Claims (Including Administrative Expenses)

All allowed priority claims will be paid in full unless the creditor agrees otherwise:

Creditor	Type of Priority	Amount to be Paid
ROBERT C. NISENSEN	ATTORNEYS FEES	2800

Part 4: Secured Claims

a. Curing Default and Maintaining Payments

The Debtor shall pay to the Trustee (as part of the Plan) allowed claims for arrearages on monthly obligations and the Debtor shall pay directly to the creditor (outside the Plan) monthly obligations due after the bankruptcy filing as follows:

Creditor	Collateral or Type of Debt	Arrearage	Interest Rate on Arrearage	Amount to be Paid to Creditor (In Plan)	Regular Monthly Payment (Outside Plan)
OLD BRIDGE MUA	UNPAID WATER AND SEWER CHARGES	1,822.10		1,822.10	
SANTANDER	VEHICLE	418.24		418.24	412.00

b. Modification

1.) The Debtor values collateral as indicated below. If the claim may be modified under Section 1322(b)(2), the secured creditor shall be paid the amount listed as the "Value of the Creditor Interest in Collateral," plus interest as stated. The portion of any allowed claim that exceeds that value shall be treated as an unsecured claim. If a secured claim is identified as having "NO VALUE" it shall be treated as an unsecured claim.

NOTE: A modification under this section ALSO REQUIRES the appropriate motion to be filed under Section 7 of the Plan.

Creditor	Collateral	Scheduled Debt	Total Collateral Value	Superior Liens	Value of Creditor Interest in Collateral	Annual Interest Rate	Total Amount to Be Paid

2.) Where the Debtor retains collateral and completes the Plan, payment of the full amount of the allowed secured claim shall discharge the corresponding lien.

c. Surrender

Upon confirmation, the stay is terminated as to surrendered collateral. The Debtor surrenders the following collateral:

Creditor	Collateral to be Surrendered	Value of Surrendered Collateral	Remaining Unsecured Debt
CAPITAL ONE AUTO FINANCE	2012 SCIOIN	22,000	0

d. Secured Claims Unaffected by the Plan

The following secured claims are unaffected by the Plan:

e. Secured Claims to be paid in full through the Plan

Creditor	Collateral	Total Amount to be Paid through the Plan
-NONE-		

Part 5: Unsecured Claims

a. Not separately classified Allowed non-priority unsecured claims shall be paid:

____ Not less than \$ ____ to be distributed *pro rata*

____ Not less than ____ percent

 x *Pro Rata* distribution from any remaining funds

b. Separately Classified Unsecured Claims shall be treated as follows:

Creditor	Basis for Separate Classification	Treatment	Amount to be Paid
-NONE-			

Part 6: Executory Contracts and Unexpired Leases

All executory contracts and unexpired leases are rejected, except the following, which are assumed:

Creditor	Nature of Contract or Lease	Treatment by Debtor
-NONE-		

Part 7: Motions

NOTE: All plans containing motions must be served on all potentially affected creditors, together with local form, Notice of Chapter 13 Plan Transmittal, within the time and in the manner set forth in D.N.J. LBR 3015-1. A Certification of Service must be filed with the Clerk of Court when the plan and transmittal notice are served.

a. Motion to Avoid Liens under 11 U.S.C. Section 522(f).

The Debtor moves to avoid the following liens that impair exemptions:

Creditor	Nature of Collateral	Type of Lien	Amount of Lien	Value of Collateral	Amount of Claimed Exemption	Sum of All Other Liens Against the Property	Amount of Lien to be Avoided
-NONE-							

b. Motion to Avoid Liens and Reclassify Claim from Secured to Completely Unsecured.

The Debtor moves to reclassify the following claims as unsecured and to void liens on collateral consistent with Part 4 above:

Creditor	Collateral	Amount of Lien to be Reclassified
-NONE-		

c. Motion to Partially Void Liens and Reclassify Underlying Claims as Partially Secured and Partially Unsecured.

The Debtor moves to reclassify the following claims as partially secured and partially unsecured, and to void liens on collateral consistent with Part 4 above:

Creditor	Collateral	Amount to be Deemed Secured	Amount to be Reclassified as Unsecured

Part 8: Other Plan Provisions

a. Vesting of Property of the Estate

- ☒ Upon Confirmation
☐ Upon Discharge

b. Payment Notices

Creditors and Lessors provided for in Parts 4, 6 or 7 may continue to mail customary notices or coupons to the Debtor notwithstanding the automatic stay.

c. Order of Distribution

The Trustee shall pay allowed claims in the following order:

- 1) Trustee Commissions
- 2) Other Administrative Claims
- 3) Secured Claims
- 4) Lease Arrearages
- 5) Priority Claims
- 6) General Unsecured Claims

d. Post-petition claims

The Trustee ☒ is, ☐ is not authorized to pay post-petition claims filed pursuant to 11 U.S.C. Section 1305(a) in the amount filed by the post-petition claimant.

Part 9 : Modification

If this plan modifies a plan previously filed in this case, complete the information below.

Date of Plan being modified: _____.

Explain below why the Plan is being modified.	Explain below how the Plan is being modified
TRUSTEE OBJECTION	SANTANDER ARREARS INCLUDED IN PLAN
Are Schedules I and J being filed simultaneously with this modified Plan? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	

Part 10: Sign Here

The debtor(s) and the attorney for the debtor (if any) must sign this Plan.

Date April 12, 2017 /s/ Robert C Nisenson
Robert C Nisenson
Attorney for the Debtor

I certify under penalty of perjury that the foregoing is true and correct.

Date: April 12, 2017 /s/ James Massa
James Massa
Debtor

Date: _____
Joint Debtor

Certificate of Notice Page 6 of 7
 United States Bankruptcy Court
 District of New Jersey

In re:
 James Massa
 Debtor

Case No. 16-28104-KCF
 Chapter 13

CERTIFICATE OF NOTICE

District/off: 0312-3

User: admin
 Form ID: pdf901

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 Total Noticed: 62

Date Rcvd: Apr 20, 2017

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Apr 22, 2017.

db
 cr
 +James Massa, 178 Southwood Dr, Old Bridge, NJ 08857-1659
 +Old Bridge Municipal Utilities Authority, Scarinci & Hollenbeck, LLC,
 c/o Joel R. Glucksman, Esq., 1100 Valley Brook Ave., P.O. Box 790,
 Lyndhurst, NJ 07071-0790
 516404869 +A-1 Collections Svc, 101 Grovers Mill Rd Ste, Lawrenceville, NJ 08648-4706
 516404870 +Amboy Bank, 3590 US Hwy 9, Old Bridge, NJ 08857-3523
 516444092 +Atlantic City Expressway \$50.00, PO Box 4971, Trenton, NJ 08650-4971
 516404871 +Bac Service, LLC, P.O. Box 538, Howell, NJ 07731-0538
 516519589 Capital One NA, c/o Becket and Lee LLP, PO Box 3001, Malvern PA 19355-0701
 516404875 +EZ Pass NJ, P.O. Box 4973, Trenton, NJ 08650-4973
 516404874 +Excel Urgent Care Of Nj LLC, 484 Temple Hill Rd Ste 104, New Windsor, NY 12553-5529
 516404876 +First Premier Bank, 601 S Minnesota Ave, Sioux Falls, SD 57104-4868
 516404877 +Horizon Blue Cross Blue Shield Of Nj, P.O. Box 656, Newark, NJ 07101-0656
 516444080 +Imaging Consultants of Essex \$200.00, PO Box 3247, Indianapolis, IN 46206-3247
 516404878 +JCP&L, PO Box 16001, Reading, PA 19612-6001
 516404879 +JFK Medical Associates, P.O. Box 11912, Newark, NJ 07101-4912
 516404880 +JFK Medical Center, C/O Paula G. Kaplan, 55 Morris Ave Ste 100,
 Springfield, NJ 07081-1422
 516444087 +Jeffrey Rapaport MD, PA \$35.00, 333 Sylvan Ave., Ste 207,
 Englewood Cliffs, NJ 07632-2732
 516444078 +Lincare Inc \$7.19, PO Box 9521, Amherst, NY 14226-9521
 516538398 +MidFirst Bank, 999 NorthWest Grand Boulevard, Oklahoma City, OK 73118-6051
 516444088 +Middlesex Hospital Physicians, PA \$170.00, C/O Revenue Recovery Corp., PO Box 50250,
 Knoxville, TN 37950-0250
 516404883 +Midland First, 4515 Broadmoor Bluffs Dr, Colorado Springs, CO 80906-8647
 516444079 +Monmouth Ocean Hospital Service Corp \$1,834.00, 4806 Megill Rd., Ste 3,
 Neptune, NJ 07753-6926
 516488426 +New Jersey Turnpike Authority, Attn: Mark Schneider, 581 Main St., PO Box 5042,
 Woodbridge, NJ 07095-5042
 516444084 +New Jersey Turnpike Authority \$54.00, PO Box 5042, Woodbridge, NJ 07095-5042
 516444086 +New York Thruway \$60.00, PO Box 15186, Albany, NY 12212-5186
 516440837 +Old Bridge Municipal Utilities Authority, Joel Glucksman, Scarinci, et al,
 1100 Valley Brook Ave., P.O. Box 790, Lyndhurst, NJ 07071-0790
 516404886 +Old Bridge Municipal Utilities Authority, 71 Blvd West, Cliffwood Beach, NJ 07735-6105
 516444091 +Optimum \$427.00, 1111 Stewart Avenue, Bethpage NY 11714-3533
 516444090 +Orthopedic Assoc. Of Central Jersey \$27.00, 205 May St. Suite 202, Edison, NJ 08837-3267
 516404887 +PA Turnpike Commision, C/O PennCredit, 916 S 14th St, Harrisburg, PA 17104-3425
 516404894 +PSE&G, 80 Park Plaza, Newark, NJ 07102-4194
 516404893 +PSE&G, PO BOX 14444, New Brunswick, NJ 08906-4444
 516404891 +Premier Urology Group LLC, P.O. Box 51079, Newark, NJ 07101-5179
 516404892 +Princeton Surgical Associates, 5 Plainsboro Rd Ste 400, Plainsboro, NJ 08536-1915
 516404895 +Quality Asset Recovery, 7 Foster Ave Ste 101, Gibbsboro, NJ 08026-1191
 516404896 +Raritan Bay Med Center, PO Box 48071, Newark, NJ 07101-4871
 516404897 +Raritan Bay Physicians Group PC, P.O. Box 11987, Newark, NJ 07101-4992
 516404898 +Saint Barnabas Medical Center, C/O BCA Financial Services, Inc, 18001 Old Cutler Rd Ste 462,
 Miami, FL 33157-6437
 516404899 +Saint Peters University Hospital, C/O Schachter Portnoy, Llc, 3490 Us Rte 1,
 Princeton, NJ 08540-5920
 516404900 +Santander Consumer USA, P.O. Box 961288, Fort Worth, TX 76161-0288
 516443548 +Santander Consumer USA Inc., P.O. Box 560284, Dallas, TX 75356-0284
 516444512 +Santander Consumer USA Inc., P.O. Box 961245, Fort Worth, TX 76161-0244
 516444082 #Shoprite \$139.00, C/O Collections Acquisition Company, Inc, Payliance,
 3 Easton Oval, Ste 210, Columbus, OH 43219-6011
 516444085 +State of NJ EZPASS/ Delaware River Port Authority, PO Box 4971, Trenton, NJ 08650-4971
 516404901 +Td Bank Usa/targetcred, Po Box 673, Minneapolis, MN 55440-0673
 516444083 +The Port Authority of NY & NJ \$63.00, Violations Processing Center,
 C/O Linebarger Goggan Blair & Sampson, L, 61 Broadway, Ste 2600, New York, NY 10006-2840
 516444081 +Union Emergency Medical Unit \$100.00, PO Box 575, Matawan, NJ 07747-0575
 516404902 +Verizon, P.O. Box 4003, Acworth, GA 30101-9004

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
 smg E-mail/Text: usanj.njbankr@usdoj.gov Apr 20 2017 23:15:02 U.S. Attorney, 970 Broad St.,
 Room 502, Rodino Federal Bldg., Newark, NJ 07102-2534

smg +E-mail/Text: ustpreion03.ne.ecf@usdoj.gov Apr 20 2017 23:15:00 United States Trustee,
 Office of the United States Trustee, 1085 Raymond Blvd., One Newark Center, Suite 2100,
 Newark, NJ 07102-5235

516404872 +E-mail/PDF: AIS.COAF.EBN@americaninfosource.com Apr 20 2017 23:12:10 Capital One Auto Finan,
 3901 Dallas Pkwy, Plano, TX 75093-7864

516630521 +E-mail/PDF: acg.acg.ebn@americaninfosource.com Apr 20 2017 23:12:38
 Capital One Auto Finance, c/o Ascension Capital Group, P.O. Box 165028,
 Irving, TX 75016-5028

516599799 +E-mail/PDF: acg.acg.ebn@americaninfosource.com Apr 20 2017 23:12:07
 Capital One Auto Finance,, c/o Ascension Capital Group, P.O. Box 201347,
 Arlington, TX 76006-1347

District/off: 0312-3

User: admin
Form ID: pdf901

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Total Noticed: 62

Date Rcvd: Apr 20, 2017

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center (continued)

516404873 +E-mail/Text: bankruptcy@cashcall.com Apr 20 2017 23:15:43 Cashcall Inc, 1 City Blvd W, Orange, CA 92868-3621
516404881 +E-mail/Text: bnckohlsnotices@becket-lee.com Apr 20 2017 23:14:30 Kohls/capone, N56 W 17000 Ridgewood Dr, Menomonee Falls, WI 53051-7096
516404884 +E-mail/Text: bankruptcydpt@mcmcg.com Apr 20 2017 23:14:59 Midland Funding, 8875 Aero Dr Ste 200, San Diego, CA 92123-2255
516404885 +E-mail/Text: bankruptcydepartment@tsico.com Apr 20 2017 23:15:40 Minuteclinic Of New Jersey, C/O Transworld Systems, 507 Prudential Rd, Horsham, PA 19044-2308
516615846 E-mail/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com Apr 20 2017 23:32:35 Portfolio Recovery Associates, LLC, c/o Orchard Bank, POB 41067, Norfolk VA 23541
516440846 +E-mail/Text: bankruptcy@pseg.com Apr 20 2017 23:14:19 PSE&G, Attn: Bankruptcy Dept., PO Box 490, Crandord, NJ 07016-0490
516404889 +E-mail/PDF: PRA_BK2_CASE_UPDATE@portfoliorecovery.com Apr 20 2017 23:13:26 Portfolio Recovery Ass, 120 Corporate Blvd Ste 1, Norfolk, VA 23502-4952
516444089 +E-mail/Text: bankruptcy@certifiedcollection.com Apr 20 2017 23:14:52 SBMC Multi Specialty - Nephro \$250.00, C/O Certified Credit & Collection Bureau, PO Box 1750, Whitehouse Station, NJ 08889-1750
516411600 E-mail/PDF: gecsedirecoverycorp.com Apr 20 2017 23:12:33 Synchrony Bank, c/o of Recovery Management Systems Corp, 25 S.E. 2nd Avenue, Suite 1120, Miami, FL 33131-1605
516404903 +E-mail/Text: bankruptcyreports@wakeassoc.com Apr 20 2017 23:15:42 Wakefield & Association, P.O Box 58, Fort Morgan, CO 80701-0058

TOTAL: 15

***** BYPASSED RECIPIENTS (undeliverable, * duplicate) *****

516404882 Maryland Transportation Authority
516404888 Plain Green
516404890* +Portfolio Recovery Ass, 120 Corporate Blvd Ste 1, Norfolk, VA 23502-4952

TOTALS: 2, * 1, ## 0

Addresses marked '+' were corrected by inserting the ZIP or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Transmission times for electronic delivery are Eastern Time zone.

Addresses marked '#' were identified by the USPS National Change of Address system as requiring an update. While the notice was still deliverable, the notice recipient was advised to update its address with the court immediately.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Apr 22, 2017

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on April 17, 2017 at the address(es) listed below:

Albert Russo docs@russotrustee.com
Denise E. Carlon on behalf of Creditor MidFrist Bank dcarlon@kmlawgroup.com, bkgroup@kmlawgroup.com
Joel R. Glucksman on behalf of Creditor Old Bridge Municipal Utilities Authority jglucksman@scarincihollenbeck.com
Robert C. Nisenson on behalf of Debtor James Massa rnisenon@aol.com, nisensonlaw@aol.com;G2729@notify.cincompass.com;nisenonlaw@gmail.com

TOTAL: 4